IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

Bail Appl..No. 7185 of 2006()

CRMP.870/2005 of DISTRICT COURT, KOTTAYAM

.....

PETITIONER/ACCUSED NO.1

JOSHY, AGED 44 YEARS,
S/O. M.M.SEBASTIAN @ KUNJUKUNJU,
RESIDING AT MADATHAKKADU HOUSE, MARANGOLI P.O.,
KOTTAYAM DISTRICT.

BY ADV. SRI.LIJI.J.VADAKEDOM

RESPONDENTS: STATE

STATE OF KERALA, REPRESENTED BY ITS
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 7185 of 2006

DATED: December 4, 2006

O R D E R

Petitioner who is the first accused in Crime No. 79/05 of Kaduthuruthy Police Station for offences punishable under Secs. 447, 286 and 427 read with sec. 34 I.P.C., seeks anticipatory bail. The case against the petitioner is now pending before the J.F.C.M. Vaikom as C.P. 23/06 and it stands posted to 7-12-2006.

2. Anticipatory bail cannot be issued in a case of this nature. There is no reason why the petitioner should seek regular bail from the Magistrate after surrendering before him. Accordingly, if the petitioner surrenders before the magistrate court on 7-12-2006 and files an application for regular bail, the same shall be considered and disposed of preferably on the same day on which it is filed.

With the above observation this application is dismissed.

V.RAMKUMAR,
JUDGE.

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